

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/600,433	YOSHIDA ET AL.	
	Examiner	Art Unit	
	Negussie Worku	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 9/18/07.
2.  The allowed claim(s) is/are 14-23.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date See Attachment
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

### **Reasons for Allowance**

1. The following is an examiner's statement of reasons for allowance: In response to the Office action dated April 19, 2007, and further to the amendments filed on 09/18/07, applicant's request in view of the amendments have been carefully reviewed and respectfully considered.

According to the Office action of April 19, 2007, claims 21-23 were rejected under 35 USC 101, as indicated in the last Office action. Applicant has amended these claims (21-23) based on examiner's suggestions indicated in the last Office action, and therefore, the previously rejected claims 21-23 are now in condition for allowance.

Further, as to claims 1-13, claims are cancelled as indicated in the previous applicant's response. Claims 14-20 were allowed in the last Office action, and therefore all pending claims 14 through 23 are allowed for the reasons given below:

As to claims 14-16, a the prior arts do not teach or disclose a reception control changing means for changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high speed data is detected and the success in receiving

the short training is also detected, said reception control changing means does not set the training information, which was stored when the long training information is received, into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, said reception control changing means sets the training information, which was stored when the long training information is received, into the modem.

With respect to claim 17, is allowed for the reason the prior art searched and of record neither anticipates nor suggests a training execution means for performing long training and short first training information acquisition means for acquiring first training information on the basis of training performed by the execution means; second training information acquisition means for acquiring second training information on the basis of training performed by said execution means after the acquisition of the first training information by said first training information acquisition means; receiving means for receiving information in accordance with the second training information acquired by said second training information acquisition means; success-in-training detection means for detecting success in training; high-speed carrier detection means for detecting a high-speed carrier.

With respect to claim 18, is allowed for the reason the prior art searched and of record neither anticipates nor suggests a communication method capable of performing communication in accordance with the ITU-T recommendation V. 17, comprising: a training information storing step of storing training information when long

training information is received; a success in reception-of-short-training detection step of detecting success in receiving short training; a high-speed data detection step of detecting high speed data; a training information setting step of setting the stored training information into a modem; a reception control changing step of changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high speed data is detected and the success in receiving the short training is also detected, the training information, which was stored when the long training information is received, is not set into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the training information, which was stored when the long training information is received, is set into the modem; and a transmitting step of transmitting the CFR signal according to the ITU-T recommendation V.21.

With respect to claim 19-20, are allowed for the reason the prior art searched and of record neither anticipates nor suggests a communication method, a training execution step of performing long training and short training; a first training information acquisition step of acquiring first training information on the basis of training performed in said execution step; a second training information acquisition step of acquiring second training information on the basis of training performed in said execution step, after the acquisition of the first training information in said first training information acquisition step; a receiving step of receiving information in accordance with the second

training information acquired in said second training information acquisition step; a success-in-training detection step of detecting success in training; a high-speed carrier detection step of detecting a high-speed carrier; and a transmitting step of transmitting a CFR signal according to the ITU-T recommendation V.21, wherein if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected, the information is received in said receiving step in accordance with the first training information acquired in said first training information acquisition step without using the second training information.

With respect to claim 21 are allowed for the reason the prior art searched and of record neither anticipates nor suggests a computer-readable medium encoded with a computer-executable program capable of performing communication in accordance with the ITU-T recommendation V. 17 and for causing a communication apparatus to perform processing comprising: a training information storing step of storing training information when long training information is received; a success in reception-of-short-training detection step of detecting success in receiving short training; a high-speed data detection step of detecting high speed data; a training information setting step of setting the stored training information into a modem; a reception control changing step of changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high speed data is detected and the success in receiving the short training is also detected, the training information, which was stored when the

long training information is received, is not set into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the training information, which was stored when the long training information is received, is set into the modem; and a transmitting step of transmitting the CFR signal according to the ITU-T recommendation V.21.

With respect to claim 22-23, are allowed for the reason the prior art searched and of record neither anticipates nor suggests a computer-readable medium encoded with a computer-executable program for causing a communication apparatus to perform processing comprising: a training execution step of performing long training and short training; a first training information acquisition step of acquiring first training information on the basis of training performed in said execution step; a second training information acquisition step of acquiring second training information on the basis of training performed in said execution step, after the acquisition of the first training information in said first training information acquisition step; a receiving step of receiving information in accordance with the second training information acquired in said second training information acquisition step; a success-in-training detection step of detecting success in training; a high-speed carrier detection step of detecting a high-speed carrier; a transmitting step of transmitting a CFR signal according to the ITU-T recommendation V.21; and a step of causing the information to be received in said receiving step in accordance with the first training information acquired in said first training information acquisition step without using the second training information if,

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after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected.

Therefore, claims 14-23 are allowed for the reasons given above.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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NW  
10/11/07

*ASL*  
AUNG S. MOE  
SUPERVISORY PATENT EXAMINER  
10/12/07